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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,295	07/12/2001	Riku Suomela	4208-4001	2068

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MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154

EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,295

Applicant(s)

SUOMELA, RIKU

Examiner

HENRY N. TRAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-104 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-104 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

This Application has been examined. The original claims 1-104 are pending. The examination results are as following.

Specification

1. The disclosure is objected to because of the following informalities: the descriptive portions of the disclosure are inconsistent; e.g., reference characters "400" and "300" have both been used to designate "access point", see figures 1, and specification, page 5, lines 19-21.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9, 12-34, 38-62, 65-86, and 90-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ivie et al (U.S. Patent 5,815,086, hereinafter referred to as "Ivie '086") in view of Naughton et al (U.S. Patent 6,020,881 hereinafter referred to as "Naughton '881").
4. Regarding claims 53-62, 65 and 66, Ivie '086 teaches a control system for enabling a user of a universal wireless terminal 230 (a PDA or handheld transmitter 230) to control a numerous appliances: ubiquitous devices 10, 14, 18 and 22, which are electronic devices such as TV, VCR, etc., located in a plurality of rooms 102A-F in a home or building, comprising: a network server

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220, which is a PC compatible computer 220 having a memory device for storing computer programs and a processor for executing program instructions; the wireless terminal 230 comprising a processor and an associated memory for receiving, transmitting data related to a location, access point, access point identifier, which is the address of the combined transmitter/receiver 106/160 where the wireless terminal 230 is located, and for displaying on the LCD touch screen of the wireless terminal 230 data related to a user-selectable object of a ubiquitous device including icons; and a plurality of access points: the combined transmitter/receiver devices 106/160 and 130 are configured as co-extensive LAN access points operable to communicate with each other via signal-carrying bus 104 or "one of many different mediums" communication protocols well known in the art using wireless IR, or RF; figures 1 and 5, col. 4, lines 32-67; col. 9, line 3 to col. 10, line 67. However, Ivie '086 does not teach data including a map representative of an area associated with the access point and a user-selectable object representing of a ubiquitous device from the area, the user-selectable object representative of a ubiquitous device is transmitted as a map overlay, other areas. Naughton '881 teaches a GUI control system comprising a handheld display device 170 for controlling any of a plurality of remote electronic devices such as thermostat 150, video cassette recorder 39, and stereo system 152, using a communication medium 160; wherein, the handheld display device displays geographic Spaces and objects comprising a map representative of an area associated with a house having a plurality of areas or rooms ("Spaces"), each map overlays a plurality of electronic devices, user-selectable object representative of a ubiquitous device is transmitted as a map information or a map overlay, figures 1, 2, and 6-7, col. 7, lines 11-22, lines 45-48, col. 10, line 50 to col. 12, line 7. It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to utilize the teachings of displaying a map representative of an area or areas of Naughton '881 in the Ivie '086 control system because this would provide an improved system which provides maps or graphic objects that is easily selected and manipulated by the user, see Naughton '881, col. 3, lines 41-42. By this rationale, claims 53-62, 65 and 66 are rejected.

5. Regarding claims 65-86 and 90-104, Ivie '086 teaches the claimed elements as discussed in claims 53-62, 65 and 66 above. Ivie '086 also teaches: the wireless terminal display a list of electronic devices, col. 11, lines 1-27; a first LAN access point 106/160; a second LAN access point 130; the use of a control panel comprising service access keys or buttons 236, 238, 240, 242, 244, and 246 for initiating a request and control commands, see figure 5, col. 10, lines 49-63. Claims 65-86 and 90-104 are therefore rejected on the same reasons set forth for claims 53-62, 65 and 66 and the reasons discussed above.

6. Regarding claims 1-9, 12-34 and 38-52, which are method claims corresponding to the apparatus claims 53-62, 65-86 and 90-104, respectively, and are rejected on the same basis set forth in claims 53-62, 65-86 and 90-104 discussed above.

7. Claims 10, 11, 35-37, 63, 64 and 87-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ivie '086 in view of Naughton '881 (hereinafter referred to as "Ivie-Naughton") as applied to claims 1-9, 12-34, 38-62, 65-86, and 90-104 above, and further in view of Foster (U.S. Patent 6,211,870).

Ivie-Naughton teaches generally all except for the user identifier for determining the devices for a specific user, the user identifier is an identifier associated with a SIM card, or the user identifier is a password. Foster teaches a GUI control system comprising a computer 100, a

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programmable remote control unit 200, and a multimedia-processing unit 300 (figure 1); wherein custom screen 1066 having soft key objects 1161 and 1162 indicating electronic devices authorized to access by a specific user identifier, e.g. Dad 1166, is created by programming the programmable keys 722 and 723, see figures 9-11, col. 9, lines 53-62, col. 10, line 45 to col. 11, line 35. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the user identifier as taught by Foster in the Ivie-Naughton device because this would provide an improved handheld remote control device having an enhanced functionality and reliability to permit a user to rapidly and efficiently control selected functions for a desired electronic device remotely located from the control device, Foster, col. 1, lines 34-36. Claims 10, 11, 35-37, 63, 64 and 87-89 are dependent upon the base claims 1, 26, 53, and 78, respectively, are therefore rejected on the same reasons set forth for claims 1, 26, 53, and 78, and by the rationale discussed above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are: U.S. Patents 6597374, 6456892, and 5598523 teaches remote control units for controlling a plurality of electronic devices.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is (703) 308-8410. The examiner can normally be reached on Mon - Fri from 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A. HJERPE, can be reached at (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

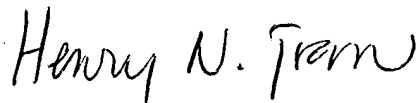
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office Whose telephone
number is (703) 306-0377.



HENRY N. TRAN
Examiner
Art Unit 2674

hnt
November 5, 2003